

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE**

IN RE:	: CASE NO: 10-02347-MFH
	: CHAPTER: 11
	:
JAMES ALONZO SOWELL	:
Debtor	:
	:

OBJECTION TO THE ORIGINAL CHAPTER 11 PLAN

COMES NOW, BAC HOME LOANS SERVICING, LP fka COUNTRYWIDE HOME LOANS SERVICING, LP AS SERVICING AGENT FOR WELLS FARGO BANK, N.A., f/k/a WELLS FARGO BANK MINNESOTA, N.A., AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF BANC OF AMERICA ALTERNATIVE LOAN TRUST 2003-10, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2003-10, its successors or assigns, (hereinafter referred to as "BAC") and shows the Court that for the reasons set out below, BAC objects to the confirmation of The Original Chapter 11 Plan;

1.

The Debtor filed the instant Chapter 11 case on March 4, 2010. The Chapter 11 Plan was filed on March 3, 2011. The Deadline to Object to Confirmation is June 6, 2011.

2.

BAC is the holder of a Deed of Trust executed by the Debtor relative to a property located at 7402 BERMUDA DRIVE, CHRISTIANA, TN 37037.

3.

The Debtor intends to implement its Plan by, among other things, re-amortizing the debt owed to BAC over a 30 year period beginning June 1, 2011 and reducing the contractual interest rate of 5.375% to 3.25%.

4.

BAC objects to this treatment because the claim is secured by the Debtor's principal residence yet the Debtor seeks to modify the rights of the holder of the secured claim. Because the claim is secured by the Debtor's principal residence, this claim is protected from modification by §1123 of the United States Bankruptcy Code. At the time of the filing of this Objection, the loan is contractually in arrears by \$16,808.93, the payoff amount is currently in excess of \$58,931.20 and the contractual interest rate is 5.375%.

WHEREFORE, BAC HOME LOANS SERVICING, LP fka COUNTRYWIDE HOME LOANS SERVICING, LP AS SERVICING AGENT FOR WELLS FARGO BANK, N.A., f/k/a WELLS FARGO BANK MINNESOTA, N.A., AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF BANC OF AMERICA ALTERNATIVE LOAN TRUST 2003-10, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2003-10, its successors or assigns, prays:

(a) that the fees associated with the filing and prosecution of this Objection to Confirmation be borne by the Debtor; and

(b) that this Court inquire as to the matters raised herein and deny confirmation of the Debtor's Plan, or enter such orders and require such further inquiry as may appear appropriate to the Court.

Dated: 6/3/11.

/s/ Natalie Brown
Natalie Brown
Attorney for BAC,
its successors or assigns
TN BPR No. 022452

Rubin Lublin Suarez Serrano, LLC
119 S. Main Street, Suite 500
Memphis, TN 38103
(877) 813-0992
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CERTIFICATE OF SERVICE

I, Natalie Brown of Rubin Lublin Suarez Serrano, LLC certify that on the 3rd day of June, 2011, I caused a copy of the foregoing to be filed in this proceeding by electronic means and to be served by depositing a copy of the same in the United States Mail in a properly addressed envelope with adequate postage thereon to the said parties as follows:

JAMES ALONZO SOWELL
7402 BERMUDA DR
CHRISTIANA, TN 37037

Steven L. Lefkovitz, Esq.
Law Offices Lefkovitz & Lefkovitz
618 Church Street, Suite 410
Nashville, TN 37219

United States Trustee - Nashville, Trustee
Office of the United States Trustee
701 Broadway, Suite 318
Nashville, TN 37203

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on: 6/3/11

By: /s/ Natalie Brown
Natalie Brown
TN BPR No. 022452
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